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Statement of Rep. Henry A. Waxman Committee on Government Reform Hearing on “Civil Service and National Security Personnel Improvement Act” May 6, 2003

Mr. Chairman, I'd like to thank you for holding this hearing.

The Bush Administration's proposal to rewrite the rules for civilian employees at the Department of Defense is breathtaking in its scope and implications. We've delayed the markup of the proposal twice, and that's been helpful for members, staff, and outside groups to try to understand the proposal. Nevertheless, we're working at a breakneck pace on a bill that will directly affect almost 700,000 civilian employees at the Defense Department.

Why, you might ask, are we doing this? No one seems to know. At a subcommittee hearing last week, I asked Undersecretary of Defense David Chu how the current personnel system had hindered DoD's war efforts in Iraq. He wasn't able to give me any examples.

When Dr. Chu was asked whether Secretary Rumsfeld would consider delaying consideration of the bill, Dr. Chu pointed to “the three weeks it took our troops to get from the Kuwait border to Baghdad.” Dr. Chu added that the Secretary “is not someone who is patient with a long, indecisive process.”

In other words, now that the Defense Department has marched through Iraq in three weeks, it intends to do the same with Congress.

I might understand this better if we at least knew what DoD was going to do with the enormous flexibilities that it's seeking. But we have virtually no idea.

Basically, the DoD proposal is nothing more than a blank check. DoD is asking to be exempted from a hundred years of civil service laws enacted specifically to prevent a patronage system. Yet the Department isn't telling us how's its going to replace these laws. That's not the right way to deal with one of the most sweeping civil service reforms in history.

When David Walker, the Comptroller General, testified last week, he said he had “serious concerns” about giving DoD this broad authority. He explained: “Unfortunately, based on GAO's past work, most existing federal performance appraisal systems, including a vast

majority of DoD's systems, are not currently designed to support a meaningful performance-based pay system." That hardly inspires confidence for what DoD might do if we give them this authority.

At the last hearing, I read a quote from Thomas Friedman, a columnist with the *New York Times*. Mr. Friedman wrote: "[O]ur federal bureaucrats are to capitalism what the New York Police and Fire Departments were to 9/11 – the unsung guardians of America's civic religion, the religion that says if you work hard and play by the rules, you'll get rewarded and you won't get ripped off. . . . [S]o much of America's moral authority to lead the world derives from the decency of our government and its bureaucrats, and the example we set for others. . . . They are things to be cherished, strengthened and praised every single day."

Mr. Friedman is right: we should be praising federal civil servants, not attacking them. But from day one, this Administration has sought to characterize loyal federal employees as inept and inefficient bureaucrats. Federal jobs have been given to private contractors. Attempts have been made to slash annual pay increases. Financial bonuses have been given to political appointees, instead of career employees.

It's incredible that the group of employees who the Administration has chosen to target this time are Defense Department employees. These are the same employees who saw terrorists crash an airplane into their headquarters. These are the same employees who made enormous sacrifices to support the military effort in Iraq.

I am willing to work on a bipartisan basis to make changes to the civil service laws where there's a need for new authorities or new flexibility. But we shouldn't destroy a hundred years of civil service laws with a sledgehammer. I urge my colleagues to slow down this runaway legislative train.